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January 14, 2011

BY COURIER

Jeff S. Jordan
Supervisory Attorney
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Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

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FEDERAL ELECTION
COMMISSION
2011 JAN 14 PM 3:41
OFFICE OF GENERAL
COUNSEL

Re: Response of Edward John Izzard in MUR 6445

Dear Mr. Jordan:

Edward John Izzard requests the FEC dismiss this matter. The complaint, filed by Mr. Jeff Larson, fails to comply with the minimum procedural requirements for a valid complaint, is premised upon factual allegations which are not true, and asks the Commission to pursue matters that are not violations of the Federal Election Campaign Act of 1971, as amended ("FECA"). This filing is no more than a political tactic that misfired. The FEC should bring it to an end.

As to the substance of the allegations, in January of 2006, Mr. Izzard was granted permanent resident alien status by the United States government, and has remained in that immigration status at all times since then. (See attached Declaration of Edward Izzard.) Consequently, Mr. Izzard was permitted by law to contribute to candidates for federal, state and local office during the entire period between 2008 and 2010 in which Mr. Larson alleges Mr. Izzard made contributions. 2 U.S.C. 441e. Mr. Larson acknowledges the possibility that this is true in his December 20, 2010 letter to the Commission, and requests in that letter that his complaint be dismissed. This is one of the few points where we agree with Mr. Larson.

Second, Mr. Larson complains that Mr. Izzard "provided false address information" at the time he made his contributions, and contends this reflects a potential knowing and willful violation of the law. Again, nothing could be further from the truth. The law requires that political committees use their "best efforts" to obtain and report the name, mailing address, occupation and employer of individuals who contribute in excess of \$200 in a year. Mr. Izzard provided a valid mailing address at the time he made his contributions. (See attached Declaration.) The fact that he chose to rely upon the business address of his manager or lawyer

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Federal Election Commission

January 14, 2011

Page Two

instead of some other address does not constitute a violation of the law. Instead, it is evidence of compliance.

Third, FECA requires that a valid complaint filed with the FEC "shall be in writing, signed and sworn to by the person filing such complaint, shall be notarized, and shall be under penalty of perjury and subject to the provisions of Section 1001 of Title 18." 2 U.S.C. 437g(a)(1). Mr. Larson's filing fails to meet this minimum threshold for a valid complaint. His letter was neither sworn to under penalty of perjury nor notarized. These defects alone justify dismissing the complaint. This is not a mere technical violation. At the core of Mr. Larson's complaint is a false statement of fact: "Mr. Izzard... is a foreign national, as that term is used at 2 U.S.C. § 441e." Based upon this false statement, Mr. Larson seeks to have the federal government begin an investigation into Mr. Izzard's lawful conduct. As a consequence, Mr. Izzard has suffered unwanted press attention and unnecessary legal expense.

For all the reasons noted above, the FEC should dismiss this matter.

Sincerely,



Robert D. Lenhard

Attachment

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